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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053426
Party	Defendant Scientific Toys, Ltd.
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Submission	Opposition/Response to Motion
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Date	03/07/2011
Attachments	92053426 Response to Motion to Strike.pdf ( 2 pages )(10609 bytes )

IN THE UNITED STATES AND PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK AND TRIAL AND APPEAL BOARD

*In the Matter of Trademark Registration No. 3567168  
for the mark EZTEC, Registered January 27, 2009  
in International Class 028*

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BACHMANN INDUSTRIES, INC.,	:	
	:	<b>Cancellation No. 92053426</b>
Petitioner,	:	
	:	
v.	:	
	:	
SCIENTIFIC TOYS, LTD.,	:	
	:	
Registrant.	:	
-----	X	

**RESPONSE TO PETITIONER'S MOTION  
TO STRIKE PARAGRAPHS 30 AND 31  
IN RESPONDENT'S AFFIRMATIVE DEFENSES**

While reserving all rights, Registrant Scientific Toys, Ltd. hereby withdraws the defenses  
in Paragraphs 30 and 31 of its Affirmative Defenses.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
Attorney for Registrant  
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Dated: March 7, 2011  
New York, New York

By: /Chester Rothstein/  
Chester Rothstein

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing *RESPONSE TO PETITIONER'S MOTION TO STRIKE PARAGRAPHS 30 AND 31 IN RESPONDENT'S AFFIRMATIVE DEFENSES* has been served on Petitioner by delivering said copy by (1) First Class U.S. Mail, postage prepaid; and (2) email, to counsel for Petitioner as follows:

- (1) Roberta Jacobs-Meadway  
Eckert Seamans Cherin & Mellott LLC  
50 South 16<sup>th</sup> Street  
Two Liberty Place, 22<sup>nd</sup> Floor  
Philadelphia, PA 19102
- (2) email: [rjacobsmeadway@eckertseamans.com](mailto:rjacobsmeadway@eckertseamans.com)

Dated: March 7, 2011  
New York, New York

By: /Chester Rothstein/  
Chester Rothstein